

LAST HOPE OF THE RACE TRACKS GONE

Supreme Court Refuses a
Recount of the Amend-
ment Vote.

GOVERNOR'S SAY FINAL.

His Verification of the Correct-
ness of the Result De-
clared Satisfactory.

Trouton, N. J., Nov. 17.—Justice Bennett Van Slyke, of the Supreme Court, to-day filed an opinion denying the application made yesterday by Allen L. McDermott, a former Senator, William D. Edwards for a recount of the ballots cast at the Constitutional election. The opinion is concurred in by Justices Dixon and Collins, who heard the matter with Justice Van Slyke.

In his opinion Judge Van Slyke says that, whether after the Governor's proclamation that the said amendment has become a part of the fundamental law of this State, the Court can order a recount of the votes, is a question upon which he expresses no opinion. If the Court had the power to grant the application in view of the common law jurisdiction inherent in the courts to superintend inferior tribunals in the exercise of their functions, it declines to do so in this case.

The opinion sets forth that the election did not affect any individual or private right, but concerned the Government alone, and in it the voters have no interest other than that which is common to all citizens of the State. Public policy, therefore, is to be primarily regarded in the discussion of this application.

"The Legislature," the opinion says, "by the act of May 25, 1893, under which the amending amendment was submitted to the popular vote, declared how that vote should be canvassed, and made it the duty of the Governor, after determining that the amendment had received a majority vote, to issue a proclamation forthwith declaring that it had been adopted by the people. This was a declaration by the Legislature that, so far as the Government was concerned, public policy required that the question should be at rest when the Chief Executive of the State and performed the duty imposed upon him by the statute. That verification of the correctness of the result satisfied the State and it should be held to satisfy the voters."

The Court holds that it would require a very clear case to induce the Court to reopen the count, and says that the reasons for which its aid is invoked are far from satisfactory. They regard the evidence gathered by counsel and their agents, consisting in part of statements made to them by election officers in respect to ballots some weeks after they had inspected such ballots in the course of making the count on the day of election, as mere hearsay, and not sufficient to induce the Court to do so. They also dwell upon the fact that the constitutional amendments were removed from the ballot boxes for the purpose of the State election, thus diminishing to some extent the safeguards against tampering with the ballots.

"The voters," the opinion concludes, "are permitted to make their choice before the Governor promulgates the result of his proclamation to give any one who desired to do so an opportunity to contest the adoption of the amendment."

FIELD DAY AT FREEHOLD.
Seventh Regiment Parades, Drills and
Lunches in the Pretty Regatta
Town.

Freehold, N. J., had a gala day yesterday. It was the annual field day of the Seventh Regiment Infantry, N. J. Company E is stationed there, and the town is also the home of Lieutenant-Colonel Andrew J. Buck.

The day was observed as a holiday generally, and many of the houses were elaborately decorated with the national colors in honor of the event. At 9 a. m. a special train brought to Freehold Colonel Charles E. Townsend, the commandant, and the members of the field staff and non-commissioned staff not residing there. Winkler's Regimental Band, consisting of brass and drum corps, Companies A and D, and the gun squad, all of Trenton; Companies C, of Lambertville; F, of Union Hook; G, of Newton, and H, of Beverly. With these and Company E, of Freehold, the regiment was formed and marched to the ball ground on Broadway, where drill and drill were held by each battalion. There was an artillery drill by the gun squad and a guard mounting the first and second regiments the new guard and the second and old.

A lunch was served to the regiment by Company E, and after the drill, the band, a regimental dress parade was held, followed by a parade about the town. Despite the moderate weather, the drill, the regiment in column of fours, wearing the full dress uniform and overcoats, presented a superior appearance, and was the recipient of much admiration from the military officials present.

The only drawback was that the companies were not all with ranks.

of the stormy weather of Tuesday night.

SLUICE GATES THE SCHEME
Committee, After Inspecting Newark's
Flooded Meadows, Indorses Board of
Works' Plan to Reclaim Them.

The Newark Board of Trade Committee on Meadow Drainage, with Board of Works Commissioner Van Dyne and ex-Health Commissioner John Stobenson, made a tour of the Newark meadows yesterday to see what could be done to reclaim the tract which is under water. After the ground had been thoroughly examined it was agreed that the scheme proposed by the Board of Works was the most feasible for reclaiming the meadow land.

The Board proposes to build self-acting sluice gates at the foot of the meadows and the Central Railroad branch that will let water run out, while none can run in. By this means over 1,000 acres of the meadows could be kept free from tide water and made available as sites for manufacturing buildings.

FEENEY OR CROMWELL?

Dispute for the Presidency of Richmond
Borough Will Be Settled
To-day.

The Cromwell-Feeny dispute for the position of President of the Borough of Richmond will be settled to-day, when the revised results from the three disputed districts will be known. Both men are confident of the result, Cromwell claiming the election by a majority of three votes, and Feeny by a majority of over seventy-eight.

The result in the Sixth Middletown District, it is expected, will decide who is the victor.

NO ACTION ON MAYOR'S VETO

Jersey City Finance Board to Consider
Water Supply Matter December 1.

The Jersey City Board of Finance decided yesterday that Mayor Hoos's veto of the specifications for a new water supply cannot be legally considered. This is due to the fact that the Board since it concurred in the specifications, has held no regular meeting, and, therefore, could not vote to issue practically on the same day on which the vetoed action was taken.

Heard last regularly last night, and under the rules the veto went over until the next regular meeting, December 1.

PATERSON AND EAST ORANGE IN THROES OF BILLBOARD WAR.

